

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

In re:

TERRY BERNARD BLACK
YOLANDA DENISE BLACK
Debtors

Case No. 3:19-bk-31280-SHB

Chapter 13

OBJECTION BY DEBTORS TO THE CLAIM FILED BY WELLS FARGO BANK, N.A.,
as TRUSTEE FOR PARK PLACE SECURITIES, INC. ASSET-BACKED PASS-
THROUGH CERTIFICATES SERIES 2004-WHQ2
(CLAIM NO. 7)

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Notice is hereby given that:

Pursuant to Local Rule 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this document, you must file with the clerk of the court at **United States Bankruptcy, Howard H. Baker Jr. US Courthouse, Suite 330, 800 Market Street, Knoxville TN 37902**, an objection **within 30** days from the date this paper was filed and serve a copy on the movants' attorneys, **Richard M. Mayer and John P. Newton, Jr., 1111 Northshore Drive Suite S-570, Knoxville TN 37919**, or via Electronic Case Filing; **Tiffany Dilorio, Office of United States Trustee, Howard H. Baker, Jr. U.S. Courthouse, 800 Market Street, Suite 114, Knoxville, TN 37902** and **Gwendolyn M. Kerney, Chapter 13 Trustee, PO Box 228, Knoxville TN 37901**. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this document and may grant the relief requested without further notice or hearing.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

Comes the Debtors and would hereby object to the claim filed in their case by Wells Fargo Bank, N.A., as Trustee for Park Place Securities, Inc., Asset-Backed Pass-Through Certificates Series 2004-WHQ2. A copy of the claim is attached hereto as **Exhibit A** and is incorporated by reference.

As grounds for objection, the Debtors state the Deed of Trust as well as the Note attached to the claim filed by Wells Fargo Bank, N.A., as Trustee for Park Place Securities, Inc., Asset-Backed Pass-Through Certificates Series 2004-WHQ2 contain signatures and initials the Debtors themselves did not make and/or sign. Therefore, the Note and Deed of Trust are invalid, and the Debtors dispute the entire debt and/or claim. An Affidavit signed by the Debtors is attached hereto as **Exhibit B** and is incorporated by reference.

WHEREFORE, Debtors pray that the claim filed by Wells Fargo Bank, N.A., as Trustee for Park Place Securities, Inc., Asset-Backed Pass-Through Certificates Series 2004-WHQ2 be disallowed entirely.

TERRY BERNARD BLACK
YOLANDA DENISE BLACK

/s/ Richard M. Mayer, #5534
/s/ John P. Newton, Jr. #010817

Attorneys for Debtors
1111 Northshore Drive, Suite S-570
Knoxville, TN 37919
(865) 588-5111

mayerandnewton@mayerandnewton.com

Dated: July 22, 2019

CERTIFICATE OF SERVICE

The undersigned hereby certify that true and exact copies of the foregoing Objection and proposed Order have been served upon the following parties in interest herein by delivering same to said party, or by mailing same to the said party by U.S. Mail with sufficient postage thereon to carry the same to its destination and/or Electronic Case Filing on July 22, 2019.

Gwendolyn M. Kerney, Chapter 13 Trustee
PO Box 228
Knoxville, TN 37901

United States Trustee
Office of the United States Trustee
Howard H. Baker, Jr. U.S. Courthouse
800 Market Street, Suite 114
Knoxville, TN 37902-2303

PHH Mortgage Corporation as servicer for
Wells Fargo Bank, N.A. as Trustee for Park Place Securities, Inc.
Asset-Backed Pass-Through Certificates Series 2004-WHQ2
1 Mortgage Way, Mail Stop SV-22
Mount Laurel, New Jersey 08054

Jordan Anderson, Esq.
Shapiro & Ingle, LLC
10130 Perimeter Parkway, Suite 400
Charlotte, NC 28216

/s/ Richard M. Mayer, #5534

/s/ John P. Newton, Jr., #010817

Attorneys at Law